

FILED  
JOHN P. HEHMAN  
CLERK

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

2013 FEB 20 PM 12:45

U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
EAST. DIV. COLUMBUS

TIMOTHY D. BURKITT

Plaintiff

Case No

-v-

2 : 1 3 C V 0 1 5 7

PALISADES COLLECTIONS, L.L.C.

Defendant

Judge Economus

MAGISTRATE JUDGE KEMP

Demand for Jury Trial

**PLAINTIFF'S COMPLAINT**

Plaintiff, Timothy D. Burkitt, individually, hereby sues Defendant Palisades Collection, L.L.C. for violations of the Fair Debt Collection Practices Act ("FDCPA") 15 U.S.C. § 1692f(1) .

**PRELIMINARY STATEMENT**

1. This is an action for damages and injunctive relief brought by Plaintiff against Defendant for violations of the Fair Debt Collection Practices Act ("FDCPA") 15 U.S.C. § 1692f(1)
2. Plaintiff contends that the Defendant has violated such laws by using unfair practices by attempting to collect an amount not authorized by the agreement creating the debt or alleged debt.

**JURISDICTION AND VENUE**

3. Jurisdiction of this Court arises under 15 U.S.C. §1692k(d),
4. Venue is proper pursuant to 28 U.S.C. §1391b. Venue in this District is proper in that the Plaintiff resides here, the Defendants transact business here, and the conduct complained of occurred here.

**PARTIES**

5. Plaintiff, Timothy Dean Burkitt, is a natural person and is a resident of the State of Ohio. 3602 Westbrook Dr. Hilliard, Ohio 43026.
6. Upon information and belief Defendant, Palisades Collection, L.C.C. is a for profit corporation doing business under the laws of the State of New Jersey with its headquarters located at 210 Sylvan Avenue Englewood Cliffs, NJ 07632.

**FACTUAL ALLEGATIONS**

7. On or around 02/23/12 Palisades Collection, L.C.C. did send a collection letter to Timothy D. Burkitt in regards to an account ending in 0163 in an attempt to collect a debt or an alleged debt.
8. Defendant was attempting to collect a debt or alleged debt, the amount which was not authorized by the agreement creating the debt.

**COUNT I**  
**VIOLATION OF FAIR DEBT COLLECTION**  
**PRACTICES ACT (FDCPA), 15 U.S.C. § 1692F(1)**  
**BY DEFENDANT PALISADES COLLECTIONS, L.L.C.**

9. Plaintiff alleges and incorporates the information in paragraphs 1 through 8.
10. Plaintiff is a consumer within the meaning of the FDCPA, 15 U.S.C. §1692a(3)
11. Defendant Palisades Collection L.C.C. is a debt collector within the meaning of the FDCPA, 15 U.S.C. §1692a(6).
12. Defendant violated the FDCPA. Defendant's violations include, but are not limited to, the following:
13. Defendants violated 15 U.S.C. §1692f(1) by attempting to collect an amount which included interest and fees not authorized by the agreement creating the debt, which Defendant claimed Plaintiff owed while attempting to collect a debt or alleged debt by sending a collection letter to Timothy D. Burkitt in regards to an account ending in 0163.

**WHEREFORE**, Plaintiff, pursuant to 15 USC § 1692f(1) and the Court's own equitable powers, respectfully requests that the Court:

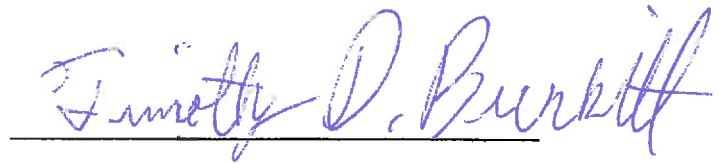
1. Enter a permanent injunction to prevent future violations of the FDCPA by Defendant;
2. Award Plaintiff actual damages, statutory damages and punitive damages;
3. Award Plaintiff the costs of bringing this action, as well as such other and additional relief as the Court may determine to be just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury of all issues so triable as a matter of law.

I state under penalty of perjury that the foregoing is true and correct.

Executed on this 20th day of February, 2013.



Timothy D. Burkitt

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